(13)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

Division Bench

CORAM: Hon'ble Shri S.R. Nayak, C.J.
Hon'ble Shri D.R. Deshmukh, J.

M.C.C.No. 84 OF 2006

APPLICANT
NON-APPLICANT

Seth Nand lal Rathi, S/o Non- Jethamal ji Rathi, Sukama, Tahsil Sukama, Distt. Dantewada (C.G.)

versus

RESPONDENTS

1. Salik Ram Yadav, S/o Bisauha Ram, aged 52 years,
2. Smt. Dhanmat Bai w/o. Salikram Yadav, aged 48 years,
3. Anil Kumar Yadav, S/o Late Balaram Yadav, aged 12 years,
4. Ku. Padmani Yadav, D/o. Late Balarama Yadav, aged 10 years.

   Respondent no. 3 & 4 Miner through guardian Grand Father Salikram, All R/o. Village Charmudiya, Tahsil Kurud, Distt. Dhamtari (C.G.)
   (Respondent no. 1 to 4 Claimant)
5. Devanand Yadav, S/o. Pancham Yadav, aged 23 years, R/o. Rajapara Kanker, Distt. Kanker (C.G.) at present Taj Auto Deal, Anjuman Complex Main Road Kanker (C.G.) (Driver)
6. Abdul Kadar, S/o. Late Abdul Karim, aged 32 years, R/o. Main Road Kanker, Distt. Kanker (C.G.) (Owner of vehicle)

Present : Mr Subhash Yadav, learned counsel for the applicant.

ORAL ORDER
(Passed on 27th February, 2006)

The following order of the Court was passed by

S.R. Nayak, C.J.

Heard.

(16)

(2) Sufficient cause is shown. The M.C.C. is ordered as prayed for. The default order dated 04-01-2006 is set aside and Misc. Appeal No.587 of 2005 is restored to file of the Court, subject to the appellant depositing a sum of Rs. 100/- to the credit of Chhattisgarh High Court Legal Services Committee, within ten days from today.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

Subba.